

AMENDMENTS TO LB 585

Introduced by Business and Labor

1           1. Strike the original sections and insert the following  
2 new sections:

3           Section 1. The following sums of money, or so much  
4 thereof as may be required, are hereby appropriated from the  
5 General Fund or from other funds as indicated in the state  
6 treasury, not otherwise appropriated, for the payment of claims  
7 arising out of miscellaneous items of indebtedness owing by the  
8 State of Nebraska.

9           \$86,026.47 for Miscellaneous Claim Number 2011-11047,  
10 against the State of Nebraska, pay to Nebraska Press Advertising  
11 Service, 845 "S" Street, Lincoln, NE 68508, out of the General  
12 Fund.

13           \$136,227.96 for Miscellaneous Claim Number 2011-11127,  
14 against Governor Dave Heineman, pay to Planned Parenthood  
15 Federation of America, 434 West 33rd Street, New York, NY 10001,  
16 out of the General Fund.

17           The claims included in this section shall be paid through  
18 Program 536 in Agency 65.

19           For informational purposes only, the appropriations  
20 contained in this section and fund source:

<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
<u>GENERAL FUND</u>	<u>\$222,254.43</u>

1	<u>CASH FUND</u>	<u>\$-0-</u>
2	<u>REVOLVING FUND</u>	<u>\$-0-</u>
3	<u>TOTAL</u>	<u>\$222,254.43</u>

4           Sec. 2. The following sums of money, or so much thereof  
5 as may be required, are hereby appropriated from the General  
6 Fund or from other funds as indicated in the state treasury, not  
7 otherwise appropriated, for the payment of tort claims which have  
8 been settled by the State Claims Board and approved by the district  
9 court, which have been settled by the Attorney General in the  
10 district court, or in which court judgments have been entered and  
11 which require the approval of the Legislature for payment.

12           \$190,000.00 for Tort Claim Number 2008-02654, against the  
13 Department of Health and Human Services, pay to Michael Ellsworth,  
14 9710 Kensington Circle, Bellevue, NE 68123, Trustee for the Debra  
15 Lee Bauer Trust dated January 8, 2011, out of the General Fund.

16           \$50,000.00 for Tort Claim Number 2009-03186, against the  
17 Department of Health and Human Services, pay to Carolynne La Frenz,  
18 guardian and conservator for Mariah La Frenz, P.O. Box 460, Grand  
19 Island, NE 68802, out of the General Fund.

20           \$99,666.37 for Tort Claim Number 2009-03422 against the  
21 Department of Roads, pay to Rachel Tipton, c/o Friedman Law  
22 Offices, 3800 Normal Boulevard, #200, P.O. Box 82009, Lincoln, NE  
23 68501, out of the Roads Operations Cash Fund.

24           \$475,000.00 for Tort Claim Number 2010-04095 against the  
25 State of Nebraska, pay to Joseph White, 1141 H Street, P.O. Box  
26 83104, Lincoln, NE 68508, out of the General Fund.

1           \$325,000.00 for Tort Claim Number 2010-04096, against the  
2 State of Nebraska, pay to Kathleen Gonzalez, 1141 H Street, P.O.  
3 Box 83104, Lincoln, NE 68508, out of the General Fund.

4           \$180,000.00 for Tort Claim Number 2010-04097, against the  
5 State of Nebraska, pay to Thomas Winslow, 1141 H Street, P.O. Box  
6 83104, Lincoln, NE 68508, out of the General Fund.

7           \$260,000.00 for Tort Claim Number TC04-049-1, against the  
8 Department of Health and Human Services, pay to Steve Zastera,  
9 Administrator of the Lucille Kilgore Estate, 222 South 15th Street,  
10 Suite 220 South Tower, Omaha, NE 68102, out of the General Fund.

11           The claims included in this section shall be paid through  
12 Program 591 in Agency 65.

13           For informational purposes only, the appropriations  
14 contained in this section and fund source:

<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
<u>GENERAL FUND</u>	<u>\$1,480,000.00</u>
<u>CASH FUND</u>	<u>\$99,666.37</u>
<u>REVOLVING FUND</u>	<u>\$-0-</u>
<u>TOTAL</u>	<u>\$1,579,666.37</u>

20           Sec. 3. The following sums of money, or so much thereof  
21 as may be required, are hereby appropriated from the General  
22 Fund or from other funds as indicated in the state treasury, not  
23 otherwise appropriated, for the payment of workers' compensation  
24 claims which have been settled by the Attorney General in the  
25 Nebraska Workers' Compensation Court or in which court judgments  
26 have been entered and which require the approval of the Legislature

1 for payment.

2 \$157,286.77 for a Workers' Compensation Claim, pay to  
3 Phillip R. Licking and Tony Brock, attorney, 5625 O Street,  
4 Lincoln, NE 68510, out of the Workers' Compensation Claims  
5 Revolving Fund.

6 \$175,000.00 for a Workers' Compensation Claim, pay to  
7 Patrick Teitge, c/o Harris Kuhn Law Firm, 1005 South 107th Avenue,  
8 Suite 100, Omaha, NE 68114, out of the Workers' Compensation Claims  
9 Revolving Fund.

10 \$50,000.00 for a Workers' Compensation Claim, pay to  
11 Patricia Whitt and David Uher, attorney, P.O. Box 851, Norfolk, NE  
12 68701, out of the Workers' Compensation Claims Revolving Fund.

13 The claims included in this section shall be paid through  
14 Program 593 in Agency 65.

15 For informational purposes only, the appropriations  
16 contained in this section and fund source:

<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
<u>GENERAL FUND</u>	<u>\$-0-</u>
<u>CASH FUND</u>	<u>\$-0-</u>
<u>REVOLVING FUND</u>	<u>\$382,286.77</u>
<u>TOTAL</u>	<u>\$382,286.77</u>

22 Sec. 4. The following sums of money, or so much thereof  
23 as may be required, are hereby appropriated from the General  
24 Fund or from other funds as indicated in the state treasury, not  
25 otherwise appropriated, for the payment of tort claims which have  
26 been settled by the State Claims Board and approved by the district

1 court, which have been settled by the Attorney General in the  
2 district court, or in which court judgments have been entered and  
3 which require the approval of the Legislature for payment.

4 \$300,000 for Tort Claim Number 2008-02942, against the  
5 Department of Administrative Services, pay to Sue Kirkland, Clerk  
6 of the Lancaster County District Court, 575 South 10th Street,  
7 Lincoln, NE 68508, for satisfaction of judgment in Case No. C1  
8 09-1927, Swearingian v. Jackson, et al., out of the State Insurance  
9 Fund.

10 \$35,000 for Tort Claim Number 2010-04887, against the  
11 Department of Health and Human Services, pay to Christian Kingery,  
12 2621 South 79th Street, Lincoln, NE 68506, out of the State  
13 Insurance Fund.

14 \$300,000 for Tort Claim Number 2011-10823, against the  
15 Board of Trustees of the Nebraska State Colleges, pay to Maxwell  
16 Baker, 6596 Point Pleasant Road, Elk Grove, CA 95757, and Jones &  
17 Baker Qualified Settlement Fund, 100 Spear Street, Suite 1430, San  
18 Francisco, CA 94105, out of the State Insurance Fund.

19 \$300,000 for Tort Claim Number 2011-10824, against the  
20 Board of Trustees of the Nebraska State Colleges, pay to William  
21 Jones, 6052 Highway 20, Chadron, NE 69337, and Jones & Baker  
22 Qualified Settlement Fund, 100 Spear Street, Suite 1430, San  
23 Francisco, CA 94105, out of the State Insurance Fund.

24 The claims included in this section shall be paid through  
25 Program 594 in Agency 65.

26 For informational purposes only, the appropriations  
27 contained in this section and fund source:

<u>1</u>	<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
<u>2</u>	<u>GENERAL FUND</u>	<u>\$-0-</u>
<u>3</u>	<u>CASH FUND</u>	<u>\$-0-</u>
<u>4</u>	<u>REVOLVING FUND</u>	<u>\$935,000.00</u>
<u>5</u>	<u>TOTAL</u>	<u>\$935,000.00</u>

6           Sec. 5. The Director of Administrative Services is hereby  
7 authorized and directed to draw his or her warrants upon the  
8 funds in the state treasury enumerated in this act, in favor of  
9 the several beneficiaries named in this act for the amount set  
10 opposite their respective names upon the presentation of proper  
11 vouchers therefor. The several amounts appropriated in this act  
12 shall be in full payment of any and all claims, rights, causes  
13 of action, damages, and demands of every character and kind owing  
14 by or against the State of Nebraska, its officers, agents, and  
15 employees, and their successors and assigns with respect to each  
16 of the beneficiaries respectively in whose favor the appropriations  
17 are made. The director shall not deliver any warrant for any  
18 items appropriated in this act until a receipt and release in  
19 full, releasing the State of Nebraska, its officers, employees, and  
20 agents, and their successors and assigns, has been filed by each of  
21 the beneficiaries respectively. Upon presentation of the warrants,  
22 the State Treasurer is hereby directed to pay the same out of money  
23 in the General Fund or out of money in other funds indicated in  
24 this act not otherwise appropriated.

25           Sec. 6. The following requests were filed by state  
26 agencies seeking permission to write off certain accounts. The

1 State Claims Board reviewed and approved the following requests:  
2 \$115.36 for Request Number 2010-04378, made by the  
3 Supreme Court.  
4 \$1,597.00 for Request Number 2011-10655, made by the  
5 Nebraska Workers' Compensation Court.  
6 \$175,035.79 for Request Number 2011-10656, made by the  
7 Department of Roads.  
8 \$750.00 for Request Number 2011-10659, made by the State  
9 Fire Marshal.  
10 \$41,380.14 for Request Number 2011-10661, made by the  
11 State Energy Office.  
12 \$1,872.00 for Request Number 2011-10662, made by the  
13 Department of Insurance.  
14 \$1,608.00 for Request Number 2011-10664, made by the  
15 Department of Insurance.  
16 \$33,755.00 for Request Number 2011-10665, made by the  
17 Department of Insurance.  
18 \$3,104.00 for Request Number 2011-10666, made by the  
19 Department of Insurance.  
20 \$44.00 for Request Number 2011-10667, made by the  
21 Department of Insurance.  
22 \$680,325.58 for Request Number 2011-10686, made by the  
23 Department of Health and Human Services.  
24 \$74,461.26 for Request Number 2011-10707, made by the  
25 Game and Parks Commission.  
26 \$4,171.00 for Request Number 2011-10708, made by the  
27 Military Department.

1                   \$179.89 for Request Number 2011-10825, made by the  
2                   Supreme Court.

3                   Sec. 7. Since an emergency exists, this act takes effect  
4                   when passed and approved according to law.